

HOUR'S SWIM AT SEA CURES IDEA OF SUICIDE

Overboard from the Rotterdam,
Stoker Indulges in Mid-
ocean Reflections.

TIME IS LOST IN RESCUE

At First Man Refuses Life Buoy
and Vessel Manœuvres Till
He Decides to Live—Now
in Hospital, Guarded.

It took an hour's swim in mid-Atlantic to convince John Dunke, a coal trimmer on the Holland-America liner Rotterdam, that life with his wife in the Dutch city after which the vessel was named was preferable to drowning. When the Rotterdam docked yesterday afternoon Dunke was in the ship's hospital, where he had been placed for observation. Many passengers and members of the crew testified to the remarkable change of mind he had experienced; also to his prowess as a swimmer.

When the Rotterdam was two days out of port, in latitude 49 degrees 16 minutes, longitude 16 degrees 58 minutes, Chief Officer George Barenza saw the half clad, grimy Dunke make his way to the bridge. Before he could reach him he had plunged headfirst overboard the side of the vessel.

Seizing a life buoy, Barenza threw it into the water, calling to Dunke to take hold. Although it fell within a few feet of the man and floated within his reach, Dunke turned his back on it and set off swimming toward the horizon with a sweeping overhand stroke.

The weather was clear, although there was a fair sized swell running, and Captain Stenger, commodore of the Holland-America fleet, turned his vessel in a long sweeping curve back to the spot where the man plunged overboard. The captain spied the floating life preserver and a boat in charge of the second officer was lowered.

"Where the life preserver is, there the man must be," said Captain Stenger, speaking from experience. But for once he was wrong. Not a trace of the missing man from the hold was evident. However, the captain determined to make one more effort, and the Rotterdam was swung around in another great circle, the lookout scanning the water for a glimpse of Dunke.

It was 11 o'clock in the morning when the man leaped into the water, and it was more than an hour later that the sailors in the ship's crow's nest reported what seemed to be a man swimming less than a mile to starboard.

"It's the stoker," he called a moment later, "and he is swimming toward the ship."

Captain Stenger manœuvred his vessel about in another half-circle to a point within a few hundred feet of the swimmer. His head was thrown back, water spouted from his nostrils with each breath and, as Captain Stenger said yesterday, he was swimming "full speed ahead."

Another life buoy was thrown and the swimmer seized it. Another lifeboat in charge of the chief officer was lowered from the steamer and Dunke was picked up.

"I wanted to drown when I jumped," he told the captain when safely aboard. "I promised my wife I would jump into the Atlantic this next trip, so I wrote a postal telling her I had done it."

"I saw the life buoy thrown to me, but wanted to drown. I just swam and swam, but I could not sink. Then something in my head told me I should not leave my wife and two little children, so I turned around and swam and swam until I got back to the ship."

The man seemed apparently sane, although it was thought that the heat of the stokerroom might have affected him. Johan Van Wyk, purser of the Rotterdam, was presented with a gold medal by the line while the vessel was at Rotterdam in commemoration of his two hundredth voyage in the service of the company.

Almost every cabin in the Rotterdam was filled when she docked yesterday afternoon, an unusually large number of passengers for this season, which seems to indicate that the homeward bound traffic from Europe is setting in earlier this year than usual.

SHINS RUE SLIT TROUSERS

First Man to Wear Them Is
Kicked by Newsboys.

[By Telegraph to The Tribune.]
Pittsburgh, Aug. 3.—A martyr to fashion, W. Leffingwell Doak, a member of the North Side gentility, was mobbed this afternoon by a gang of newsboys in Fifth avenue. Doak was the first wearer of the prophesied slit trousers.

When the boys saw the innovation they gathered about Doak, voicing uncompromising criticisms. Finally, they began to jostle him and kick him in the shins. At sight of a policeman they scattered.

Doak's trousers were of a light check material. The slit extended from the bottom outside to about six inches from the knee. Bright green hose of the length women wear were disclosed.

HELD ON COCAINE CHARGE

Brown Powder, Believed New
Substitute, Possessed by One.

Rudolph Seigel, of No. 85 First avenue, and Joseph Pontell, of No. 237 Madison street, were each held in \$200 bail by Magistrate House in the Essex Market court yesterday on the charge of having cocaine in their possession.

The men were arrested on Saturday night in front of No. 48 1/2 7th street by Detectives Lemmon and Warshaw, who said they found two boxes of cocaine in Seigel's pocket and one in Pontell's pocket. Pontell, they said, also possessed a quantity of a brown powder, which the detectives thought was a new substitute for cocaine.

LITTLE RED CEDAR, AGED 225, BRONX PARK'S DYING VETERAN

Unpretentious Tree That Has
Outlived Giant Fellows
and Outlasted Much
History Starving.

A scrubby dwarf red cedar that grows on the rocky ledge between the bear dens and the home of Flip, the walrus, is the veteran of the New York Zoological Park, older than the greatest oak or maple that is rounding out its 200th birthday. Herman W. Merkle, chief forester of the park, vouches for the great age of the little tree, for he has tapped it to an inch and a half with a small German augur-like tool that reveals the age of trees.

The plug, with its rings, has revealed that this twenty-five-foot dwarf is a full century older than most of the giants three times its girth and four times its height. The forester says that it is perfectly safe to estimate the age of the great little tree as at least 225 years. It has replaced the known patriarch of the Bronx forest, the De Lancy pine, which until a year ago proudly guarded the east bank of the Bronx River, 200 feet south of the 150th street drive. The rings of that monarch eighteen feet above the ground, at which point it was severed, showed that the pine had lived between 250 and 260 years.

But the distinction of being the oldest tree will be enjoyed only for a short time by the cedar. A recent photograph shows as clearly as an X-ray that its days are numbered. Ten years ago it needed new blood. Dr. Merkle resorted to the heroic remedy of blasting away part of the rocky ledge near its roots and feeding them on life giving soil. The little tree perked up for a time, but its great age was against it, and now it is falling rapidly. The verdict of science is that it may live another year, but its brave fight has suggested the sentiment of twining its memorial trunk and some limbs with creeping vines.

It is really a great little tree. Seven British kings and two queens have reigned in its lifetime, from William III to the present George. It has been the contemporary of many famous men, John Wesley, Samuel Pepys, John Locke, Dr. Samuel Johnson, Sir Isaac Newton, Lord Nelson, Robert Burns, Wordsworth, Shelley and Tennyson lived and died since.

GUARDSMEN LOSE BEER "Dry" Order Issued for Second Regiment at Sea Girt.

Officers' Cheer Limited
Colonel Decides That Bottle for
Each Soldier at Meals Is Not
at All Necessary.

[By Telegraph to The Tribune.]
Camp Fielder, Sea Girt, N. J., Aug. 3.—A day of rest was in order today for the 2d Infantry, N. G. N. J., here for its week of instruction under the direction of officers from the United States army. Drills were abandoned, and the soldiers strolled about camp with friends, lounged in their quarters or visited nearby towns.

Evening parade was the only thing of the day that bore any resemblance to the customary discipline of the camp. Church services were held on "Little Round Top," a knoll on the lawn near the cottage of Governor Fielder. The services were conducted by the Rev. John Handley, chaplain of the regiment. The 2d Regiment Band furnished the music for the services.

Colonel Horace M. Reading, commanding the 2d, announced a new order of things in camp this week. The soldiers of his command will be denied the usual bottle of beer with each mess. The first two regiments to encamp here this year were permitted their daily allotment, but Colonel Arthur Steele, here last week, refused to sanction any beer whatever, and Colonel Reading is following his course.

The rule applies to the commissioned officers as well. Colonel Reading said he would not permit any abundance of liquor in the quarters of the officers, although, of course, there will be no particular inspection. There is a club composed of the officers, he said, and their quarters are always under his eye. Any excessive use of alcohol will be dealt with vigorously, he said.

The men are to be put on their honor to a great extent in the matter of being in before the sounding of "taps." Colonel Reading said the men must be in by the last call. Provided they are within lines, they will have freedom to do as they please in regard to coming and going about camp. If he should discover any attempts to slip into camp after the call, the colonel said, he would detail a cordon of sentries about the camp "so thick that a man couldn't crawl through."

Governor and Mrs. Fielder, with their house guests, saw the evening parade from an automobile. The first official review by the Governor will take place on Friday, after the Governor's day celebration here.

To-morrow the 1st Battalion, Major William B. Martin, commanding, will spend the entire day on the rifle ranges for its annual target practice. The 2d and 3d battalions, Majors John H. McCullough and Conrad Hall, commanding, will work in close and extended order formations.

It was learned today that two companies of the 4th Regiment, which broke camp on Saturday afternoon, were obliged to go home without pay for their week's work because they came into camp with insufficient strength. Under the military code a company must have a strength of at least thirty-eight men. One of the two had thirty-seven and the other thirty-five, and the paymaster refused to pay them.

Captain William P. Clark of Company H was officer of the day today. He was relieved to-night by Captain Fred V. Drake, Company B. Captain Albert E. Case, Company M will go on duty to-morrow morning.

POLICE ON GUARD AT CHURCH.

Fearing trouble would arise, two policemen guarded the Greek Catholic Church, at North 5th street and Driggs avenue, Williamsburg, yesterday while services were held. This church was formerly St. Michael's Episcopal, whose society disbanded a few months ago. Greek Catholics who formerly attended another church in the neighborhood obtained a lease of the property. Other Greek Catholics, it appears, circulated stories that harm would befall the new congregation when it opened the house of worship.



OLDEST TREE IN THE BRONX DYING.

It took its place in the vegetable kingdom. It was eighty years old when Napoleon flamed across Europe; when he died at St. Helena fifty rings had been added to the sturdy trunk. Famous French characters of its earlier years were Voltaire, Racine, Marat, Lafayette, Robespierre, not to mention Marie Antoinette, Charlotte Corday and the beautiful Mme. Recamier. Contemporaries of this tree were Frederick the Great, Handel, Bach, Mozart, Beethoven and Mendelssohn and Kant, Hegel, Goethe, Schiller and Heine. The little cedar was forty-four when Washington was born, and it has lived through the administration of twenty-seven Presidents preceding Woodrow Wilson.

New York's settlement all lay south of Wall street, with a population of only 5,000, and the Zoological Park was a wilderness when the cedar was a sapling.

DEATH IN SKYSCRAPERS

Dr. Knopf Says They Breed
Pulmonary Diseases.

DANGER TO PEDESTRIANS
Exposed to Air Currents Con-
taining Noxious Gases,
Professor Maintains.

Skyscrapers are breeding places for the germs of the "white plague" and other pulmonary diseases, according to Dr. S. Adolphus Knopf, professor of medicine, department of pathology, in the New York Post-Graduate Medical School and hospital.

Tall buildings, says the professor, keep out the sunshine and pure air, so he says as a germ destroyer, and retain the gases in the lower stratum of air around the base of the buildings in the narrow streets. Dr. Knopf has written an opinion, in answer to a request from Robert Grier Cooke, president of the Fifth Avenue Association.

"Tuberculosis is far more prevalent among the workers in our downtown tall office buildings than is generally known," says Dr. Knopf. "Many are tuberculous without knowing it, while others hide it in fear of losing their positions. They disseminate the contagion by coughing in others' faces and by expectorating on the floors."

After going into detail as to the causes and prevention of consumption, Dr. Knopf, in his opinion, which is addressed to Edward M. Bassett, chairman of the Heights of Buildings Commission, asserts:

"Not content with the many altogether too tall buildings already lining Fifth avenue below 23d street, some, let me hope, not greedily, but only thoughtlessly, capitalists wish to increase the number of disease-breeding and death-trap skyscrapers and erect them in the one principal and most beautiful street of New York City, where there are yet relatively few of these unsanitary and unsafe structures."

"I use the term 'unsafe' advisedly. The workers in the tall buildings in narrow streets are much exposed to the danger of contracting the various diseases of the respiratory organs (tuberculosis, pneumonia, grip, etc.). The same holds good of the people who are obliged to walk these streets, who are exposed to dangerous drafts and currents of air, which contain, especially in the lower strata of the atmosphere of these canyon-like streets, a large portion of the noxious gases characteristic of every large city."

"I trust that your commission may report favorably on the limitation of the height of buildings regarding the section north of 23d street, on Fifth avenue. In the past Fifth avenue has been admired for its beautiful buildings, which are low for its width as a thoroughfare, and for the light and air which spell health and beauty. Is all this to be changed because of thoughtlessness or greed?"

DOWSING PLEADS TO-DAY

Alleged Wire Tapper, Accused by
Delaware Man, Held in Tombs.

J. H. Dowising, alleged to be the last of the Goudoff band of wireless wire tapping experts, who was arrested in Baltimore Saturday and brought to this city, was yesterday taken to Police Headquarters, where, after his Bertillon measurements had been taken, it was found that he had no former criminal record. Dowising was then taken to the Tombs to await his arraignment in General Sessions today to plead to a charge of grand larceny made by Dr. J. H. Powell, a dentist, and Kirby Cleveland Sidbury, a real estate broker, both of Wilmington, Del., who charge that the prisoner swindled them out of more than \$25,000.

Dowising is alleged to have met the two men in their home city last May and induced them to come to New York. He is then said to have taken them to a poolroom in West 52d street, where the men played and lost.

The dentist returned home, it is alleged, while the wire tapper remained to lose \$22,000. The men later reported their losses to the police, and Dowising was indicted, and arrested only after a chase which lasted since last November.

MADE 'CHUM' SON HATE HIM, SAYS RICH DOCTOR

Father of Two Physicians
Swears They, with Mother,
Alienated Boy's Love.

MOTHER ASKS SEPARATION

Specialist, Worth \$287,500,
Makes Pathetic Plea to Court
—Loses and Wife Gets
\$500 a Month Alimony.

Dr. Edward Harrison Griffin, worth \$287,500 and with a large practice as a nose, eye and ear specialist, has made an appeal to Justice Donnelly, of the Supreme Court, for the custody of his eleven-year-old son, Eugene, in the suit brought by his wife, Mrs. Caroline W. Griffin, for a separation on the ground of cruelty. Justice Donnelly denied the petition, awarding the custody of the boy to the mother pending the trial of the suit. The Justice gave the son permission to visit his father. Mrs. Griffin was awarded \$500 a month alimony.

Dr. Griffin has three other sons, two of whom are practicing physicians. They side with their mother, and Dr. Griffin complained that they turned his youngest son against him, so that he is now afraid to talk to his father in the presence of his mother and brothers. Dr. Griffin said in his petition:

"I, therefore, ask for the possession of the only companion and only friend I have had in the family for some years, before the influence of my other sons and their assertions and teachings have turned the child to look upon me through their eyes, with hate, abhorrence and disgust."

Dr. Griffin referred to his youngest son as his chum, and said that for several years they read books together every night. Eberhart, another son, twenty years old, recently was graduated from Columbia University. Dr. Griffin further said in his affidavit:

"My wife spends most of her time at card parties and drinks champagne. Her son Eberhart is like Johnson's Boswell, following and spying on me at all times."

The doctor added that his wife was nervous and hysterical and once tried to throw herself out of a window.

Dr. Griffin in his affidavit complained of trouble with his elder sons, and alleged that Dr. Walter Griffin, one of these, ever struck him. He said the principal trouble was that he refused to support his two oldest sons, the physicians. Dr. Edwin Griffin, the other doctor in the family, married a nurse in St. John's Hospital when he was an interne there. He was unable to support a wife, according to his father, and the elder Griffin allowed him \$75 a month. Dr. Griffin withdrew this allowance, he said, when his son asserted: "A man is an ass who does not live up to every cent of his income."

Dr. Griffin did not deny on his wife's alimony application that he owned property worth \$287,500. He said he got the property through his own efforts, as his parents died when he was twelve years old and left him to make his way in the world.

TRY NOVEL DRESS REFORM

Minnesota Women Appeal Direct
to Manufacturers.

[By Telegraph to The Tribune.]
St. Paul, Aug. 3.—Declaring that the present styles in dresses are not fit for modest women, and those who refuse to wear tight skirts are obliged to do without new garments, the fourth district of the Federation of Women's Clubs has started a dress reform which it is proposed to make nationwide.

During the coming week the board will write to every manufacturer and buyer of ready made clothing for women, and to every manufacturer and publisher of dress patterns, making an appeal for modification of the present styles. The letter to be sent to the clothing manufacturers reads:

"The executive board of the fourth district of the Minnesota Federation of Women's Clubs, at the request of a number of women, ask that, beginning with the next season, they be furnished some very attractive, up-to-date garments, where the width at the bottom of the skirts shall be two yards for a woman of thirty-six-inch bust measure, well proportioned, not drawing tight across the form at any part, and reaching within three inches of the shoe, other sizes in proportion."

"Many women, under protest, have been obliged to use the present styles of ready made clothing, but very many have informed us that they have done without new garments rather than buy such of the people who are obliged to walk these streets, who are exposed to dangerous drafts and currents of air, which contain, especially in the lower strata of the atmosphere of these canyon-like streets, a large portion of the noxious gases characteristic of every large city."

"The appeal to the manufacturers and publishers of patterns is worded the same, except that the letter states that few women who use patterns are competent to make changes in them, and that many object seriously to the styles furnished during the last few months, and ask relief. The pattern makers are asked to change their product for the next month's issue of patterns."

PREACHES TO BALL TEAM

Newark Players Guests of Pastor
Whose Topic Is the Game.

The Newark baseball team, headed by Harry Smith, the manager, and his wife, with the wives of some of the other players, attended the service in the Union Street Methodist Episcopal Church in Newark last night on invitation of the Rev. Warren P. Coon, the pastor, who preached on "Our National Game."

In taking up his topic the speaker likened the teams to the church in its battle against evil. He said:

"The pitcher is the minister against Satan or his agents. The ball is the gospel. In the game the team keeps its eye on the ball; the team supports the pitcher in all he does; the batter is the Christian light, and it's up to him to reach first base; to make advancement to second base he must do good work, and if he doesn't touch the bag he'll never reach third; when on third the opposing team of evil puts forth all its strength to keep him there. Some reach home, but many fall by the wayside unless a good hit drives them in. He sometimes calls the game on account of darkness, and His decision is final. Sometimes disputing His decision results in being put out of the game."

GAYNOR WILL GRACE PLAYGROUND FIELD DAY

Mayor to Present Prize Offered
by Greater New York Ex-
position Committee.

TRACK EVENTS FOR BOYS

Twenty Thousand Youngsters
Training for Athletic Carnival
Which Will Take Place at
Empire City Park.

Mayor Gaynor will make the presentation of a \$300 pony, offered by the Greater New York Fair and Exposition Committee, to the girl who gets the prize at the pageant depicting "Three Hundred Years of Progress in New York," that is to be presented by the girls of the park playgrounds of this city at Empire City Park, in Yonkers, where a playground field day will be held August 20, under the direction of the bureau of recreation, Department of Parks, Commissioner Stover and Mayor Gaynor will be the guests of honor.

Twenty thousand boys are training for the athletic events for which elimination contests are to be held on the New York playgrounds August 5. Gold and silver watches will be given as first and second prizes and bronze medals will be given to the boys who get third place. Park playground and A. A. U. rules will govern the contests.

Boys less than seventeen years may enter two events. All entries must be endorsed by playground instructors, and no fee will be charged. Even transportation fee will be furnished to all the contestants. Playground instructors will act as guides to and from the games. Several physical exams will examine the young contestants in the finals. The small boy who has not reached his teens will not be overlooked, as the events are contests among the "Midgets," the "Juniors" and the "Seniors."

The pageant and dancing tableaux by the girls will describe the history of New York from the first settlement of Manhattan by the Dutch in 1624 down to 1900. Mayor Gaynor will address the girls, and the prize winner will lead the parade of all nations, which will wind up in a grand finale and a pledge of allegiance to the Stars and Stripes.

All the costumes and implements that will be used in the pageant will be made by the children and their teachers. The four prominent rulers of the island will be impersonations of Peter Stuyvesant (sixteenth century), James Duane, first elected Mayor (seventeenth century), Fernando Wood (Civil War period) and Mayor Gaynor (the present). Father Knickerbocker will read the epilogue. The fair committee has invited Mayor Gaynor to inspect all the livestock on exhibition. They will provide free trotty rides through the suburbs of Yonkers for the young contestants in the games, and the boys in the pageant will get suits of clothes for prizes.

Many business firms in New York and Yonkers have offered the use of their motor trucks to transport the children, and they have contributed large sums to furnish refreshments for 10,000 children who will take part in the pageant. One auto truck of sandwiches and 10,000 bricks of ice cream have been provided, together with a "river of lemonade" and an "ocean of milk."

The athletic games and pageant will be under the direction of William J. Lee, Supervisor of the bureau of recreations, assisted by Miss Mary E. McKenna.

DOUBTS BAR TO BAPTISTS

The Rev. Dr. Pierce Discredits
Reports from Russia.

Speaking of the reported exclusion of Baptists from Russia by order of the government on the ground that they are disloyal and make trouble, the Rev. Dr. R. E. Y. Pierce, of the Second Avenue Baptist Church, said yesterday that he knew nothing beyond published reports.

The movement of Baptists in Russia comes in greater measure from Russians themselves, he said, than from pushing by American or English societies. "Dr. MacArthur, president of the Baptist World Alliance, is inclined, I think, to discredit these reports about Russian official hostility to Baptist work," said the Rev. Dr. Pierce. "These reports are coming constantly."

"The amount of money raised for the Baptist training school was about \$100,000. It was decided to locate the school in St. Petersburg, and a site was purchased. Some moderate restrictions were put on the purchase by the Russian government, but they were such as to be readily agreed to. Some difficulty was had getting by the red tape, but when that was solved there seemed to be little real objection."

"There is constant warfare between the Russian Church and the Russian government, but the tendency is toward religious liberty."

"BACHELOR PARTY" TO JAIL

Benedict-To-Be and Best Man
Sent Away for Rowdiness.

Somewhere there is a young woman wondering what could have happened to her fiancé and his chosen best man, but Magistrate Deuel, in the West Side court, isn't wondering, for he sent both of the young men to the workhouse yesterday morning, there to serve twenty days for rowdiness on a Long Island Railroad train, following the party that was planned to serve the purpose of a bachelor's farewell dinner.

The fiancé, Arthur Macolite, of No. 31 Seventh avenue, and his prospective best man, Joseph Dignan, of No. 23 West 16th street, held their party at Woodhaven, Long Island, and on the way home raced through the train, much to the discomfort of other passengers. A policeman, however, was aboard, and when the train pulled into the Pennsylvania Station chased them in and out of the crowd and finally arrested them.

DEPUTY COURT CLERK ILL.

Dennis A. McLaughlin, for twenty years assistant deputy clerk of the Appellate Division, was taken yesterday to St. Vincent's Hospital, suffering from aphasia. He was brought into the city in a special car from his summer home at Good Ground. In May Mr. McLaughlin went to Good Ground from his home at No. 606 Lexington avenue. Early in June he became ill and on Friday his family physician recommended his removal to the hospital. His condition is reported as dangerous.

Registered
Trade Mark

Established
Half a Century

Final Clearing Sale

Suits, Dresses, Coats

In order to completely close out certain lines, we have made further marked reductions in prices, as follows:

At \$5.00—A collection of Irish Linen Suits and Dresses, as well as Ramie and Russian Linen Coats. Regular price 10.50 to 12.50.

At \$7.50—Irish and French Linen Suits and Dresses; lace trimmed and embroidered Lingerie Dresses; and some Russian Crash Coats. Regular price 10.50 to 15.00.

At \$10.00—Russian and Novelty Linen Suits; Lingerie Dresses of lace trimmed Voile and Batiste. Also some French Linen Dresses with embroidery and lace insertion. Regular price 15.00 to 22.50.

James McCutcheon & Co.,

5th Ave., 33d & 34th Sts.

CRASH SAVES HIS CASH

Shower of China Frightens Hold-Up Men Away.

Five men who attempted to rob Abraham Rosenthal's lunch counter, at No. 88 Eleventh avenue, yesterday afternoon, were put to rout by the sudden crash of a hundred pieces of china-ware.

Rosenthal took the men's orders and turned from his cooking to see one of them at the cash drawer and look into the muzzle of a gun in the hand of another of his customers, who told him to hold up his hands.

A third man struck Rosenthal over the head with a milk bottle, tearing a long gash. The lunchman staggered back into a rack holding his array of dishes and mustard pots. The whole mass of china came down with a clatter that was heard a block away. The hold-up men fled pell-mell and escaped.

Be cool and you'll be happy. Wear vestless suits of thin tropical fabrics. Batiste, a suit of which weighs less than a linen suit. Linens, Canadian crashes, English worsteds, natural silks, nunseloch and mohair.

FAMILY LAWSUIT GROWS

Father of Mrs. Tatum Would Add to Action Against Wife.

James MacArthur, whose daughter, Mrs. John C. Tatum, was arrested a few weeks ago and taken to Andes, Delaware County, where she was held in bonds for the action of the grand jury on a charge of having feloniously assaulted her younger sister, Miss Katherine MacArthur, because the latter is alleged to have refused to receive the attentions of a wealthy New Yorker whom Mrs. Tatum had selected for her as a husband, will today, through counsel, ask Justice Cane, in the Brooklyn Supreme Court, to permit him to amend a complaint in an action he has now pending against his wife.

He seeks to compel Mrs. MacArthur, from whom he is separated, to recover to him the title of property at Richmond Hill. At the time of the purchase of the Richmond Hill property, and on the request of his wife, MacArthur alleges that she held the deed out in her name, and that she in return gave him a promissory note for \$5,000. They separated August 10, 1910. The complaint also recites incidents in the courtship and marriage of Mrs. Tatum.

The "complaint" will ask leave to amend the complaint by including the allegation that part of the agreement under which Mrs. MacArthur was given the deed was that Mrs. MacArthur should make and endorse such promissory notes as her husband might require in his business while she held the property, and that between April, 1906, and March, 1910, she did so and endorsed notes aggregating \$25,000.

In her answer Mrs. MacArthur, who is now living with her daughter, Mrs. Tatum, denies that the property was given to her in trust, but says it was a gift outright. She also alleges that recently her husband instituted suit to recover \$5,000 on the promissory note. She further asserts that the reference made to Mrs. Tatum is done simply to create a false sentiment in regard to the present suit.

RETURNS KIDNAPPED BABY

Brought Back by Woman Who Took It "for a Walk."

The four months old baby who was kidnapped July 3 from its grandmother, Mrs. Sarah Rice, of No. 1197 First avenue, was returned yesterday by the woman who carried it away "for a walk." The woman said she was Miss Katherine Planco, of No. 374 Bushwick avenue, Brooklyn. The theory of the grandmother and the police was that the woman took the baby so that she might obtain a two or three weeks' vacation. There are many places about New York where women with young babies are given rest and fresh air. The baby was much sunburned.

When the woman took the baby its mother, Mrs. Josephine Rice, lived with her mother at the First avenue address. After the disappearance the two women quarrelled and the baby's mother moved away.

A woman with a baby in her arms inquired for Mrs. Josephine Rice yesterday afternoon. She was directed to the address of the grandmother, who recognized her as the woman, then calling herself "Miss Brennan," who took the baby "for a walk." The woman was taken to Bellevue Hospital by the police for examination as to her mental condition.

WOMAN TAKES POISON ON CAR.

A woman caused excitement on a Third avenue car when she drank the contents of a small bottle of iodine. Patrolman Panknin sent for an ambulance from Gouverneur Hospital, and then procured a bottle of milk and poured it down the woman's throat.

When Dr. Robertson arrived he worked over her with a stomach pump until she was completely revived. She was then

RELEASED BY CORONER

Chauffeur of Truck That Killed F. C. Walker Free Pending Inquest.

David Hochberg, twenty-two years old, of No. 662 Tinton avenue, the Bronx, driver of an auto-truck which struck and killed a man at Ninth avenue and 23d street on Saturday night, was released yesterday in the custody of his counsel pending the inquest by Coroner Hellerstein. In the dead man's pockets were found cards and letters bearing the name "F. C. Walker." The body was identified later by Miss Belle Maule Walker, of No. 40 Gramercy Park, as her brother, F. C. Walker, a salesman, twenty-two years old, of No. 47 West 22d street. Hochberg was driving an auto-truck owned by the Postal Service Transportation Company, of No. 541 West 50th street. He did not have a chauffeur's badge with him at the time of the accident, and he was summoned to court on this charge. He was fined \$5 for not wearing a badge.